

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:20-CR-347-BO-1

UNITED STATES OF AMERICA,)
)
)
v.)
)
ANTHONY CYQUAN HERRING,)
)

ORDER

This matter is before the Court on defendant's motions for disclosure of Federal Rule of Criminal Procedure Rule 404(b) evidence [DE 44] and to sequester witnesses [DE 43]. For the reasons that follow, defendant's motion for 404(b) evidence is granted. Defendant's motion to sequester is denied without prejudice.

Motion for Disclosure of All Rule 404(b) Evidence


Defendant seeks an order requiring the government to give notice of its intent to introduce evidence that falls under Rule 404(b) of the Federal Rules of Evidence. Defendant requests that the government "advise defendant of any evidence it intends to offer at trial pursuant to Fed. R. of Evid. 404(b)." [DE 44]. Defendant is entitled to the general nature of the evidence it intends to introduce at trial with reasonable notice. FED. R. EVID. 404(b). Therefore, defendant's motion is GRANTED. The government is ORDERED to notify defendant of the general nature of any Rule 404(b) evidence it intends to offer at trial.

Motion for Sequestration of Witnesses

In anticipation of trial, defendant seeks an order requiring the sequestration of all government witnesses and potential witnesses and to require the government to designate one case

agent as its “representative” for the duration of the trial of the defendant and sequester all other case investigators from hearing any testimony for the duration of the defendants’ trial. An order to sequester witnesses is granted.

SO ORDERED, this 4 day of March, 2022.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE